III. REMARKS

In the Office Action, Claims 1-2, 11-12 and 15-19 were rejected under 35 U.S.C. 102 as being anticipated by Davis (US 7010144), and claims 3-5, 7-10, 13 and 20 were rejected under 35 U.S.C. 103 as being unpatentable over Davis, claims 6 and 14 were rejected under 35 U.S.C. 103 as being unpatentable over Davis in view of Shimizu (US 6,515,271), and claims 21 and 22 were rejected under 35 U.S.C. 103 as being unpatentable over Davis in view of Gindele (US 6636646) for reasons set forth in the Office Action.

The independent claims 1 and 11 are amended to emphasize a distinction between the teachings of the cited art and the subject matter of the present claims.

The following argument is presented to distinguish the present claims from the teachings of the cited art, thereby to overcome the foregoing rejections and to show the presence of allowable subject matter in the claims.

Davis discloses a solution for associating auxiliary data with an image. In column 2, lines 15-67 Davis lists a plurality of different types of auxiliary data that can be associated with an image. The auxiliary data can be, for example, managing copyrights, authenticating images, time, place, etc associated with the image. The examples mentioned by Davis do not include statistical data collected from image data (e.g. brightness value) as recited in the independent claims of the present application.

Davis does not teach one to collect statistical data from image data and to transmit the statistical data and the image data from a camera module to an electronic device essentially at the same time, as recited in the independent claims of the present application. The teaching of Davis is readily distinguished from the subject matter of the present claims by the following analysis.

Original claims 8 and 9 state a function of the statistical data, wherein the statistical data is used as the generation basis for a parameter related to image processing (described in claim 8), and wherein the parameter is used for the processing of an image to be generated (claim 9). Simply stated, the statistical data is suitable for processing an image to be generated. Claim 1, at the last clause, teaches that the method further comprises a transmitting of the image data and the statistical data from the camera module to the electronic device essentially at the same time.

With respect to the teaching of statistical data, the examiner (Action, page 2, beginning at line 2) states that statistical data is interpreted as various forms of data that are associated with image data, and proceeds to refer to a passage in Davis (Col. 2 at lines 15-55) that enumerates many forms of data that the examiner believes may be characterized as falling within the category of statistical data. Possibly, the examiner is considering the situation wherein an image portrays a graph representing statistics of some situation, such as the percentage of people with green eyes in various locations, or the number of four-wheel drive cars as a function of mountainous territory.

Such an interpretation of Davis would not be consistent with the above-noted teachings of claims 1, 8 and 9, which teachings provide that the statistical data is suitable for processing an image to be generated. This matter is dealt with in the present specification wherein, on page 3 at lines 28-32, there is a teaching of the invention in which statistical data is collected from image data, and then is interlaced with image data on a communications channel. Further on (page 4 at lines 5-7), it is taught that this aspect of the invention introduces the advantage of faster transmission speed and reduced cost of manufacture. The statistical data (page 6 at lines 14-22) is described as being collected from the image data, and may include information on image brightness.

Upon a review of the above-noted listing of data, presented in Davis, it is apparent that the type of data considered by Davis cannot serve as statistical data suitable for the processing of an image to be generated, as called for by the present claims.

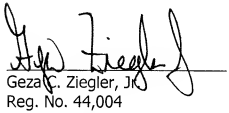
In order to emphasize this distinction between the teaching of the presently claimed subject matter and the teaching of Davis, both of the independent claims 1 and 11 are amended to state that the statistical data is suitable for processing an image to be generated.

Therefore Davis, considered alone or in combination with other ones of the cited references, fails to teach or to suggest the foregoing important feature of the presently claimed subject matter. Accordingly, this amendment and argument are believed to overcome the foregoing grounds of rejection to show the presence of allowable subject matter in the claims.

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,



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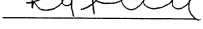
Date: 23 October 2006 Signature: 

Lisa Shimizu
Person Making Deposit